

## *Harrison Process Service*

www.harrisonprocessservice.com

8449 Norristown Drive, Norfolk, VA 23518

Office: 757-588-8850, Cell 757-438-3537

### Affidavit of Service

Plaintiff: CSX Transportation, Inc. individually & on behalf of Norfolk & Portsmouth Belt Line Railroad Company ID No: 16921

Defendant: Norfolk Southern Railway Company, et als. Case No: 2:18cv530 U.S. District Eastern  
Return By: Time:

Served: Norfolk Southern Railway Company c/o Registered Agent, Roger A. Peterson  
3 Commercial Place

Norfolk VA 23510

Writ: SUMMONS & COMPLAINT WITH ATTACHMENTS

Attorney/By: Robert W. McFarland Phone Number: 757-640-3716  
McGuire Woods, LLP Fax Number: 757-640-3966  
101 West Main St  
Ste 9000  
Norfolk VA 23510

Witness / Defendant: Norfolk Southern Railway Company c/o Registered Agent, Roger A. Peterson

was served according to law as indicated below:

PERSONAL SERVICE: By delivering a copy of the above described process to him / her in person.

Service Date: 10/15/2018 Time: 3:05PM

I, Katherine E. Harrison, hereby certify under penalty of perjury that I am over the age of 18 and not a party or otherwise interested in the subject matter in controversy.

Katherine E. Harrison Signature of Process Server

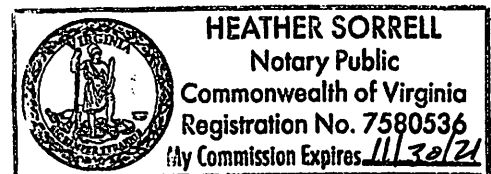
Commonwealth of Virginia, City of Suffolk

NOTARY

I, the undersigned, a Notary Public in and for the above mentioned jurisdiction, hereby certify that before me appeared the Process Server who, under oath, stated that service was made as stated above. Sworn and subscribed before me on this day: 10/16/2018

[Signature] Notary Public

REMARKS



AO 440 (Rev. 06/12) Summons in a Civil Action

# UNITED STATES DISTRICT COURT

for the

Eastern District of Virginia

CSX TRANSPORTATION, INC.,  
individually and on behalf of NORFOLK  
& PORTSMOUTH BELT LINE  
RAILROAD COMPANY,

*Plaintiff(s)*

v.

NORFOLK SOUTHERN RAILWAY COMPANY,  
NORFOLK & PORTSMOUTH BELT LINE  
RAILROAD COMPANY, JERRY HALL, THOMAS  
HURLBUT, PHILIP MERILLI, and CANNON MOSS

*Defendant(s)*

Civil Action No. 2:18cv530

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Norfolk Southern Railway Company  
C/O Registered Agent, Roger A. Petersen  
Three Commercial Place  
Norfolk, VA 23510

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Robert W. McFarland (VSB No. 24021)  
Benjamin L. Hatch (VSB No. 70116)  
E. Rebecca Gantt (VSB No. 83180)  
MCGUIREWOODS LLP  
World Trade Center, 101 West Main Street, Suite 9000  
Norfolk, Virginia 23510-1655

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT



*Eileen Price*

Digitally signed by Eileen Price  
Date: 2018.10.05 09:08:15  
-04'00'

Date: 10/5/2018

*Signature of Clerk or Deputy Clerk*

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. 2:18cv530

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
 was received by me on *(date)* \_\_\_\_\_.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc: